July 28, 1977

Victor Abramowitz, D.D.S.
One Dental Plaza
North Brunswick, New Jersey 08902

Re: The New Jersey Campaign Contributions and Expenditures Reporting Act, Chapter 83, Laws of 1973 as Amended and Supplemented ("the Act")
Your Letter Dated May 6, 1977
Opinion #0-19-77

Dear Dr. Abramowitz:

Your letter dated May 6, 1977 to the New Jersey Election Law Enforcement Commission ("the Commission"), including a request for advisory opinion, has been forwarded to me for reply.

With respect to the question raised in Paragraph numbered 1 of your letter, each of the PAC's may contribute a maximum amount of $600.00 in the aggregate to a candidate in the general election for the office of governor who is seeking public funding, providing that the source of the contributions in each case is funds of the PAC which is making the contribution and that neither PAC has received funds from the other PAC which constitutes a source of funds for the contribution by the receiving PAC, or which makes available the contribution by the receiving PAC.

Accordingly, it is the view of the Commission that the contribution of the kind described in Paragraph numbered 2 of your letter would mean that the total amount of the contribution to a specific candidate in a gubernatorial general election who is seeking public funding by both the Essex County PAC and the New Jersey PAC could not in the aggregate exceed $600.00.

You should be aware that a contribution made by an individual to a PAC, and allocated by the PAC to a candidate in the general election for the office of Governor who is seeking public funding would count against the $600.00 contribution limit of such contributor. A copy of Section 19:25-15.12(a) dealing with this subject is enclosed.
You should further be aware that since a PAC such as you have described is formed for political purposes, contribution by such PAC would constitute such a PAC as a political committee with the obligation of filing pre-election and post-election reports with respect to the election. A copy of the proposed regulation of the Commission relating to such political committees is enclosed.

The statements contained in this opinion respecting limitation of the provisions of the Act and the regulation of the Commission to candidates seeking public funding are subject to a final determination by the Court in a case presently pending before the Supreme Court of New Jersey entitled Common Cause v. New Jersey Election Law Enforcement Commission.

Yours very truly,

Edward J. Farrell
Legal Counsel

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